

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**KIETH L. HARDESTY
MELVIN J. VOGT
VALINDA HARTMAN
SHAWN BRESHEARS
TERRY MCCORD
JOSEPH B. THORNOCK
JACOB THORNOCK
JOHNATHAN R. THORNOCK
JAMES REINKE
BRADLEY M. BABB
MATTHEW E. SILVESAN
SAMANTHA J. BRUSH
MICHAEL BERG
ROBERT D. DAIS
DAMIEN M. HILL
JACK T. NICHOLAS
WILLIAM FLEMING
MARVIN SAMSON
HAYDEN L. BROWN
ROBBIE R. KENNEDY
WILLIAM WALKER
KURTIS C. ANDERSON
JOSE A. CARRASCO GONZALEZ**

**ORDER TO DISMISS VIOLATIONS
AND QUASH ARREST
WARRANTS
BUTTE SITE
CVB Violation Nos:**

FABB007F
FBCX005X, FBCX005W
FABB007M
FBCX0067, FBCX0066, FBCX006E
FBCX006C
F490367, F4903670, F4903669
F4903669
F4903670
FABB005Z
FABB005K
FABB005H
FABB0060
FBCX0048
FABB0064, FABB0065
FBCX0049
FBCX0047
FABB006Z
FABB0070
F4868244, F4868243
F4937239
F4937236
FBCX005A, FBCX0059
FBCX005I

**MANUEL JAIME
WILILAM E. TAYLOR,**

FBCX005N
FABB0077

Defendants.

The United States of America, represented by Jennifer S. Clark, Assistant United States Attorney for the District of Montana, having moved for an order dismissing all violations set forth above and quashing the corresponding outstanding arrest warrants and good cause appearing,

IT IS HEREBY ORDERED that the listed citations are dismissed.

IT IS FURTHER ORDERED that all outstanding arrest warrants are quashed.

Dated this 1st day of December, 2021.



Kathleen L. DeSoto
United States Magistrate Judge

JENNIFER S. CLARK
Assistant U.S. Attorney
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Missoula, Montana 59807
Phone: (406) 542-8851
FAX: (406) 542-1476
Email: Jennifer.Clark2@usdoj.gov

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
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BUTTE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

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**KIETH L. HARDESTY
MELVIN J. VOGT
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JACK T. NICHOLAS
WILLIAM FLEMING
MARVIN SAMSON
HAYDEN L. BROWN**

**MOTION TO DISMISS
VIOLATIONS AND QUASH
ARREST WARRANTS
BUTTE SITE
CVB Violation Nos:**

FABB007F
FBCX005X, FBCX005W
FABB007M
FBCX0067, FBCX0066, FBCX006E
FBCX006C
F490367, F4903670, F4903669
F4903669
F4903670
FABB005Z
FABB005K
FABB005H
FABB0060
FBCX0048
FABB0064, FABB0065
FBCX0049
FBCX0047
FABB006Z
FABB0070
F4868244, F4868243

ROBBIE R. KENNEDY
WILLIAM WALKER
KURTIS C. ANDERSON
JOSE A. CARRASCO GONZALEZ
MANUEL JAIME
WILILAM E. TAYLOR

F4937239
F4937236
FBCX005A, FBCX0059
FBCX005I
FBCX005N
FABB0077

Defendants.

The United States of America, represented by Jennifer S. Clark, Assistant United States Attorney for the District of Montana, moves the Court for an order dismissing the above citation in the interest of justice and quashing any outstanding warrants. A proposed order accompanies this motion.

DATED this 30TH day of November, 2021.

LEIF M. JOHNSON
United States Attorney

_____/s/ Jennifer S. Clark ____
JENNIFER S. CLARK
Assistant U.S. Attorney

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. CR 47.1, I hereby certify that the foregoing document is proportionately spaced, has a typeface of 14 points or more.

DATED this 30TH day of November, 2021.

_____/s/ Jennifer S. Clark _____
JENNIFER S. CLARK
Assistant U.S. Attorney

| | | |
|-------------------|--------------------------|------------------------|
| 2:20-po-05002-KLD | USA vs Hardesty | Case filed: 02/19/2020 |
| 2:20-po-05003-KLD | USA vs Vogt | Case filed: 05/20/2020 |
| 2:20-po-05007-KLD | USA vs Hartman | Case filed: 08/19/2020 |
| 2:20-po-05008-KLD | USA vs Breshears | Case filed: 11/18/2020 |
| 2:20-po-05010-KLD | USA vs Mccord | Case filed: 11/18/2020 |
| 2:20-po-05012-KLD | USA vs Thornock | Case filed: 11/18/2020 |
| 2:21-po-05001-KLD | USA v. Thornock | Case filed: 02/02/2021 |
| 2:21-po-05002-KLD | USA v. Thornock | Case filed: 02/02/2021 |
| 2:21-po-05003-KLD | USA vs Breshears | Case filed: 02/17/2021 |
| 2:17-po-05000-KLD | USA vs Reinke | Case filed: 05/24/2017 |
| 2:17-po-05002-KLD | USA vs Babb | Case filed: 05/25/2017 |
| 2:17-po-05005-KLD | USA vs Silvesan | Case filed: 05/25/2017 |
| 2:17-po-05010-KLD | USA vs Brush | Case filed: 08/31/2017 |
| 2:17-po-05016-KLD | USA vs Berg | Case filed: 11/22/2017 |
| 2:17-po-05018-KLD | USA vs Davis | Case filed: 11/22/2017 |
| 2:17-po-05022-KLD | USA vs Hill | Case filed: 11/22/2017 |
| 2:17-po-05023-KLD | USA vs Nicholas | Case filed: 11/22/2017 |
| 2:18-po-05009-KLD | USA vs Fleming | Case filed: 11/21/2018 |
| 2:18-po-05013-KLD | USA vs Samson | Case filed: 11/21/2018 |
| 2:19-po-05002-KLD | USA vs Brown | Case filed: 05/30/2019 |
| 2:19-po-05003-KLD | USA vs Kennedy | Case filed: 05/30/2019 |
| 2:19-po-05004-KLD | USA vs Walker | Case filed: 05/30/2019 |
| 2:19-po-05005-KLD | USA vs Anderson | Case filed: 08/22/2019 |
| 2:19-po-05007-KLD | USA vs Carrasco Gonzalez | Case filed: 08/22/2019 |
| 2:19-po-05008-KLD | USA vs Jaime | Case filed: 08/22/2019 |
| 2:19-po-05010-KLD | USA vs Taylor | Case filed: 08/22/2019 |

| | | |
|---------------|------------------------------|-------------------|
| Office: Butte | 1 - Kieth L Hardesty | Added: 02/19/2020 |
| | | |
| Office: Butte | 1 - Melvin J Vogt | Added: 05/20/2020 |
| Office: Butte | 1 - Valinda Hartman | Added: 08/19/2020 |
| Office: Butte | 1 - Shawn Breshears | Added: 11/18/2020 |
| Office: Butte | 1 - Terry Mccord | Added: 11/18/2020 |
| Office: Butte | 1 - Joseph B Thornock | Added: 11/18/2020 |
| Office: Butte | 1 - Jacob Thornock | Added: 02/02/2021 |
| Office: Butte | 1 - Johnathan R. Thornock | Added: 02/02/2021 |
| Office: Butte | 1 - Shawn Breshears | Added: 02/17/2021 |
| | | |
| Office: Butte | 1 - James Reinke | Added: 05/24/2017 |
| Office: Butte | 1 - Bradley M Babb | Added: 05/25/2017 |
| Office: Butte | 1 - Matthew E Silvesan | Added: 05/25/2017 |
| Office: Butte | 1 - Samantha J Brush | Added: 08/31/2017 |
| Office: Butte | 1 - Michael Berg | Added: 11/22/2017 |
| Office: Butte | 1 - Robert D Davis | Added: 11/22/2017 |
| Office: Butte | 1 - Damien M Hill | Added: 11/22/2017 |
| Office: Butte | 1 - Jack T Nicholas | Added: 11/22/2017 |
| Office: Butte | 1 - William Fleming | Added: 11/21/2018 |
| Office: Butte | 1 - Marvin Samson | Added: 11/21/2018 |
| | | |
| Office: Butte | 1 - Hayden L Brown | Added: 05/30/2019 |
| Office: Butte | 1 - Robbie R Kennedy | Added: 05/30/2019 |
| Office: Butte | 1 - William Walker | Added: 05/30/2019 |
| | | |
| Office: Butte | 1 - Kurtis C Anderson | Added: 08/22/2019 |
| Office: Butte | 1 - Jose A Carrasco Gonzalez | Added: 08/22/2019 |
| Office: Butte | 1 - Manuel Jaime | Added: 08/22/2019 |
| Office: Butte | 1 - William E Taylor | Added: 08/22/2019 |

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|------------------------------|--|-----------|-----|
| FABB007F | camping longer than 16 days | Janik | M4B |
| | operating MV with expired registration, fail | | |
| | to secure transported timber with two | | |
| FBCX005X, FBCX005W | chains | Mickelson | M4B |
| FABB007M | camping longer than 16 days | Janik | M4B |
| FBCX0067, FBCX0066 | not extinguishing campfire, LEAVING REFUSE | Mickelson | M4B |
| FBCX006C | operating MV with suspended license | Mickelson | M4B |
| F4903671, F4903670, F4903669 | food storage; | Pieprzyca | M4B |
| F4903669 | food storage; | Pieprzyca | M4B |
| F4903670 | food storage; | Pieprzyca | M4B |
| FBCX006E | Fail to dispose of all garbage | Mickelson | M4B |
| FABB005Z | camping longer than allowed | Janik | M4B |
| FABB005K | allowing child to ride atv w/o helmet | Janik | M4B |
| FABB005H | discharge of an explosive as prohibited | Janik | M4B |
| FABB0060 | operating MV with child not restrained | Janik | M4B |
| FBCX0048 | building campfire during stage 1 | Mickelson | M4B |
| FABB0064, FABB0065 | camping longer than 16 days; leaving refuse | Janik | M4B |
| FBCX0049 | building fire during stage 1 | Mickelson | M4B |
| FBCX0047 | building fire during stage 1 | Mickelson | M4B |
| FABB006Z | Gather firewood without permit | Janik | M4B |
| FABB0070 | leaving or possessing litter exposed | Janik | M4B |
| | driving off road in a manner causing | | |
| | resource damage, operating full size truck | | |
| F4868244, F4868243 | on ATV trail | Closson | M4B |
| F4937239 | building/maintainig campfire when restricted | Jaramillo | M4B |
| F4937236 | using fire or stove during Stage 1 | Jaramillo | M4B |
| | Possessing leaving refuse in exposed or | | |
| | unsanitary condition; abandoning personal | | |
| FBCX005A, FBCX0059 | property | Mickelson | M4B |
| FBCX005I | harvesting mushrooms w/o permit | Mickelson | M4B |
| FBCX005N | harvesting mushrooms w/o permit | Mickelson | M4B |
| FABB0077 | camping longer than allowed | Janik | M4B |